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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO. CONFIRMATION NO.			
10/510,102	10/05/2004	Chi-Duc Nguyen	016906-0334	016906-0334 5096		
22428 75	90 09/13/2006		EXAMINER			
FOLEY AND LARDNER LLP			FLANIGAN	FLANIGAN, ALLEN J		
SUITE 500 3000 K STREE	T NW		ART UNIT	PAPER NUMBER		
WASHINGTON, DC 20007			3753			
			DATE MAILED: 09/13/2006			

Please find below and/or attached an Office communication concerning this application or proceeding.

Examiner Allen J. Flanigan ars on the cover sheet with the correspondence address PLICATION IN CONDITION FOR ALLOWANCE. the same day as filing a Notice of Appeal. To avoid abandonment of ring replies: (1) an amendment, affidavit, or other evidence, which ice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) e with 37 CFR 1.114. The reply must be filed within one of the following of the final rejection. divisory Action, or (2) the date set forth in the final rejection, whichever is later. In ther than SIX MONTHS from the mailing date of the final rejection. b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN 6.07(f). on which the petition under 37 CFR 1.136(a) and the appropriate extension fee ension and the corresponding amount of the fee. The appropriate extension fee hortened statutory period for reply originally set in the final Office action; or (2) as than three months after the mailing date of the final rejection, even if timely filed, distance with 37 CFR 41.37 must be filed within two months of the date of rision thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since within the time period set forth in 37 CFR 41.37(a). Put prior to the date of filing a brief, will not be entered because insideration and/or search (see NOTE below); w); er form for appeal by materially reducing or simplifying the issues for corresponding number of finally rejected claims. 16 and 41.33(a)). 17. See attached Notice of Non-Compliant Amendment (PTOL-324). ———————————————————————————————————	Application No.	Applicant(s)		
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Advisory Action

Advisory Action	10/510,102 NGUYEN, CHI-DUC							
Before the Filing of an Appeal Brief	Examiner	Art Unit						
	Allen J. Flanigan	3753						
The MAILING DATE of this communication appears on the cover sheet with the correspondence address								
THE REPLY FILED 02 August 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.								
1. The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:								
a) The period for reply expires <u>3</u> months from the mailing date								
b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire I Examiner Note: If box 1 is checked, check either box (a) or TWO MONTHS OF THE FINAL REJECTION. See MPEP 7	ater than SIX MONTHS from the mailin (b). ONLY CHECK BOX (b) WHEN THE	g date of the final reject	on.					
Extensions of time may be obtained under 37 CFR 1.136(a). The date have been filed is the date for purposes of determining the period of exunder 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office latemay reduce any earned patent term adjustment. See 37 CFR 1.704(b)	on which the petition under 37 CFR 1.1 tension and the corresponding amount shortened statutory period for reply orig r than three months after the mailing da	of the fee. The appropr inally set in the final Offi	iate extension fee ce action; or (2) as					
NOTICE OF APPEAL	•							
2. The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a). AMENDMENTS								
	but prior to the date of filing a brief	will not be entered b	0001100					
 The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) They raise new issues that would require further consideration and/or search (see NOTE below); (b) They raise the issue of new matter (see NOTE below); (c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or 								
(d) ☐ They present additional claims without canceling a NOTE: See Continuation Sheet. (See 37 CFR 1.1)		ected claims.						
4. The amendments are not in compliance with 37 CFR 1.1	, .,	mpliant Amendment	(PTOL-324).					
5. Applicant's reply has overcome the following rejection(s)			(*					
 Newly proposed or amended claim(s) would be all non-allowable claim(s). 		timely filed amendme	ent canceling the					
7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is pro The status of the claim(s) is (or will be) as follows: Claim(s) allowed:	☑ will not be entered, or b) ☐ wivided below or appended.	ll be entered and an e	explanation of					
Claim(s) objected to:								
Claim(s) rejected: 1-6 and 8-12.								
Claim(s) withdrawn from consideration:								
AFFIDAVIT OR OTHER EVIDENCE 3. ☐ The affidavit or other evidence filed after a final action, bu because applicant failed to provide a showing of good an was not earlier presented. See 37 CFR 1.116(e).	nt before or on the date of filing a No d sufficient reasons why the affiday	otice of Appeal will <u>no</u> rit or other evidence i	ot be entered s necessary and					
The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to o showing a good and sufficient reasons why it is necessar	overcome <u>all</u> rejections under apper y and was not earlier presented. S	al and/or appellant fa ee 37 CFR 41.33(d)(ils to provide a 1).					
10. ☐ The affidavit or other evidence is entered. An explanation REQUEST FOR RECONSIDERATION/OTHER	n of the status of the claims after e	ntry is below or attacl	ned.					
11. The request for reconsideration has been considered bu	t does NOT place the application in	n condition for allowa	nce because:					
2. Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s) 3. Other:								
10. [] Ouici	Ä	Ver Va	Wasa					

Allen J. Flanigan Primary Examiner Art Unit: 3753

Continuation of 3. NOTE: Claim 1 contains limitations that have not been previously presented, i.e. the "completely interrupts . . . partially penetrates" language, as well as the "wherein" clause added to the end..